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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,069	10/30/2003	Brent Bullock	8655	1372

7590 10/14/2004

Lynn G. Foster  
602 East 300 South  
Salt Lake City, UT 84102

EXAMINER
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HUNTER, ALVIN A

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/699,069

Applicant(s)

BULLOCK, BRENT

Examiner

Alvin A. Hunter

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Claim language should be kept consistent with the specification.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 10, 14-19 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 lacks antecedent basis for "configuration"

Claims 14-19 lack antecedent basis for the term "act".

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-7, 9, 10, and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Goddard (USPN 5842932).

Regarding claim 1, Goddard discloses a golf putter 24 comprising a shaft, a putterhead 22, and a reflective member 20 associated with the putter whereby a golfer is able to visually align the putterhead and a golf ball to be putted by viewing reflections at the reflective member between the ball and the eyes of the golfer (See Abstract and Figure 1).

Regarding claim 2, Goddard discloses the reflective member being connected to the shaft and the putterhead (See Figure 1).

Regarding claim 3, Goddard discloses the reflective member in adjustably connected to the putterhead (See Column 3, lines 25 through 55).

Regarding claim 4, Goddard discloses the adjustable connection being a fore and aft adjustable connector (See Figure 1).

Regarding claim 5, Goddard discloses the reflective member adjustably connected to the shaft of the putter (See Column 3, lines 37 through 55).

Regarding claim 6, Goddard discloses the adjustable connection being a fore and aft adjustable connector (See Figure 1).

Regarding claim 7, Goddard discloses the reflective member being a reflective glass (See Abstract).

Regarding claim 9, Goddard discloses the reflective member comprising at least one alignment indicia 44 to assist in establishing and retaining correct alignment between the putterhead and the golf ball before and during the putt.

Regarding claim 10, Goddard discloses the configuration of the reflective element being angular (See Figure 1).

Regarding claim 13, Goddard discloses a method which comprises placing the putterhead behind a golf ball preparatory to putting the ball toward the golf hole, visually aligning the putterhead and the ball by a reflected image of the ball received at the eyes of the golfer, and putting the reflecting aligned ball toward the hole (See Paragraph bridging columns 2 and 3).

Regarding claim 14, Goddard discloses the visually aligning act comprising visually aligning the putterhead the ball and the hole by images of the ball and hole reflected to the eyes of the golfer (See Paragraph bridging columns 2 and 3).

Regarding claim 15, Goddard discloses the visually aligning act comprising visually aligning the putterhead the ball and the hole by images of the ball and hole reflected to the eyes of the golfer (See Paragraph bridging columns 2 and 3).

Regarding claim 16, Goddard discloses the visually aligning act comprising reflecting the image of the ball from a reflective member carried at the shaft of the putter (See Paragraph bridging columns 2 and 3).

Regarding claim 17, Goddard discloses the visually aligning act comprising reflecting the image of the ball from a reflective member carried at the head of the putter (See Paragraph bridging columns 2 and 3).

Regarding claim 18, Goddard discloses the act of adjusting the reflection angle at the putter to alter the direction of the reflected image to suit the preferences of the golfer (See Column 3, lines 38 through 55).

Claims 1-4 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by O'Flanagan (USPN 4601472).

Regarding claim 1, O'Flanagan discloses a putter having a putterhead, shaft and a reflective member associated with the putter (See Figure 5).

Regarding claim 2, O'Flanagan discloses the reflective member connected to the putterhead (See Figure 5).

Regarding claim 3, O'Flanagan discloses the reflective member being adjustably connected to the putterhead (See Abstract).

Regarding claim 4, O'Flanagan discloses the adjustable connection being a side to side adjustable connector (See Figure 1).

Regarding claim 7, O'Flanagan discloses the reflective member being a reflective glass (See Abstract).

Regarding claim 8, O'Flanagan discloses the reflective member comprising at least two segments (See Figure 7 and Columns 7 and 8).

Regarding claim 9, O'Flanagan discloses the reflective member comprising at least one alignment indicia 28 (See Figure 1).

Regarding claim 10, O'Flanagan discloses the configuration of the reflective member being angular (See Figure 1).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goddard (USPN 5842932) in view of Sun et al. (USPN 6450894).

Regarding claims 11, 12, and 19, Goddard does not disclose the putterhead having an adjustable weight distribution. Sun et al. discloses a putterhead having a structure in which the weight distribution may be varied (See Abstract). The distribution

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structure comprises openable compartments in which weight may be selectively added and removed (See Abstract and Summary of the Invention). One having ordinary skill in the art would have found it obvious have the putterhead be weight adjustable, as taught by Sun et al., in order to adjust the moment of inertia to that desired by the user. Method of adjusting is implied above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alvin A. Hunter whose telephone number is 703-306-5693. The examiner can normally be reached on Monday through Friday from 7:30AM to 4:00PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Vidovich, can be reached on 703-308-1513. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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ΔΔN

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